

• • R E M A R K S • •

The Official Action of August 26, 2002 has been thoroughly studied. Accordingly, the changes presented herein for the application, considered together with the following remarks, are believed to be sufficient to place the application into condition for allowance.

By the present amendment, claim 6 has been canceled without prejudice or disclaimer. Applicants reserve their right to seek patent protection of the subject matter of claim 6 by filing and prosecuting a continuation application during the pendency of the present application.

In addition, claim 1 has been changed to recite that the intermediate region of each of the fastening tape strips describe an angle having an apex which apex projects outward transversely of the diaper.

As discussed below, this change to claim 1 addresses and overcomes the outstanding rejection of the claims under 35 U.S.C. §112, second paragraph and is therefore believed to be properly enterable After Final Rejection inasmuch as it reduces the outstanding issues raised during the prosecution of the application.

Claims 1, 2, 4 and 5 are pending in this application.

Claims 1, 2, 4 and 5 stand rejected under 35 U.S.C. §112, second paragraph. Under this rejection the Examiner stated that “[t]he term “convex” in claim 1 is used in the claim to describe an angle, while the accepted meaning of the term describes a curve.”

In response to the rejection of claims rejected under 35 U.S.C. §112, second paragraph, applicants have amended claim 1 herein to recite that the intermediate region of each of the

fastening tape strips describes an angle having an apex which apex projects outward transversely of the diaper.

This recitation avoids the reference to "convex" and otherwise accurately describes applicants' invention as disclosed in the specification and depicted in the drawings.

Claim 6 stands rejected under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 5,108,384 to Goulait.

On page 3 of the Official Action the Examiner has indicated that claims 1, 2, 4 and 5 are directed to allowable subject matter and these claims would be allowed if rewritten in independent form and so as to overcome the rejection under 35 U.S.C. §112, second paragraph.

As noted above, by the present amendment, claim 6 has been canceled, and claim 1 has been amended to address and overcome the outstanding rejections of the claims under 35 U.S.C. §112, second paragraph.

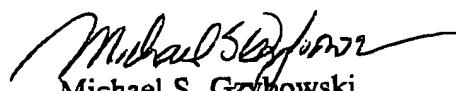
Accordingly, based upon the statement made by the Examiner on page 3 of the Official Action, it is believed that independent claim 1 is presently allowable together with claims 2, 4 and 5 which depend therefrom.

It is believed that the above represents a complete response to the Official Action and reconsideration is requested.

If upon consideration of the above, the Examiner should feel that there remain outstanding issues in the present application that could be resolved; the Examiner is invited to contact applicants' patent counsel at the telephone number given below to discuss such issues.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 02-0385 and please credit any excess fees to such deposit account.

Respectfully submitted,



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Marked-Up Copy of the Claims  
As Amended on November 22, 2002

Claim 6 has been canceled.

1. (Twice Amended) A pull-on disposable diaper comprising:

a liquid-pervious topsheet;

a liquid-impervious backsheet;

a liquid-absorbent core disposed between said topsheet and said backsheet;

a front waist region;

a rear waist region; and

a crotch region extending between said front and rear waist regions,

said front and rear waist regions being placed upon each other with said topsheet inside along transversely opposite side edges of said diaper to define a waist-opening and a pair of leg-openings, said diaper having an elastic stretchability circumferentially of said wait-opening and said leg-openings,

said diaper further comprising fastening tape strips for holding said diaper in a rolled up state for disposal after said diaper has been used, said fastening tape strips being provided on an outer surface of said liquid-impervious backsheet and extending in a longitudinal direction of said diaper in parallel to said transversely opposite side edges in at least one of said front and rear waist regions,

each of the fastening tape strips having longitudinally opposite end regions thereof bonded to the diaper in a vicinity of respective peripheral edges of said waist-opening and said leg openings and an intermediate region extending between said longitudinally opposite end regions and including on an inner surface thereof an adhesive region adapted to be separately bonded on the outer peripheral surface of said diaper when said diaper is rolled up for disposal, said intermediate region of each of said fastening tape strips describing an angle [which is convex] having an apex which apex projects outward transversely of said diaper.